

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESale PRICE  
LITIGATION

)  
) MDL NO. 1456  
) Civil Action No. 01-12257-PBS  
) Subcategory No. 03-10643

THIS DOCUMENT RELATES TO:

*The City of New York, et al.*

v.

*Abbott Laboratories, Inc., et al.*

)  
) Judge Patti B. Saris  
)  
)  
)  
)

**FEBRUARY 2013 STATUS REPORT ON BEHALF OF  
THE CITY OF NEW YORK AND NEW YORK COUNTIES**

The undersigned counsel for the City of New York and New York Counties in the above-captioned action (hereinafter referred to as “plaintiffs”) hereby submit the attached Status Report for February 2013, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: February 1, 2013

Respectfully submitted,

**City of New York and New York Counties in  
MDL 1456 except Nassau and Orange, by**

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**February 2013 Status Report on Behalf of the  
City of New York and New York Counties**

**Settlement Orders of Dismissal**

On January 29, 2013, plaintiffs filed their eighth unopposed motion to extend the 90-day settlement order of dismissal of claims against the remaining defendant King Pharmaceuticals Inc., King Research and Development, and Monarch Pharmaceuticals Inc. (“King/Monarch Group”) by an additional 30 days. The proposed order provides that claims against defendant King/Monarch Group shall be dismissed without cost and without prejudice of any party, upon good cause shown, to reopen the action after March 1, 2013 if settlement is not consummated. See Docket No. 8248, Sub-docket No. 346. This motion remains *sub judice*.

**CERTIFICATE OF SERVICE**

I, Kathryn B. Allen, hereby certify that on the 1st day of February 2013, I caused a true and correct copy of the above February 2013 Status Report for the City of New York and New York Counties to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: February 1, 2013

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